

E-Filed on October 3, 2007

1 **DIAMOND MCCARTHY LLP**

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5 Special Litigation Counsel for USACM Liquidating Trust

2 **LEWIS AND ROCA LLP**

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 Email: rcharles@lrlaw.com

6 Counsel for USACM Liquidating Trust

7 **UNITED STATES BANKRUPTCY COURT**
 8 **DISTRICT OF NEVADA**

9 In re:
 USA COMMERCIAL MORTGAGE COMPANY,

10 Debtor.

Case Nos.:
 BK-S-06-10725-LBR
 BK-S-06-10726-LBR
 BK-S-06-10727-LBR
 BK-S-06-10728-LBR
 BK-S-06-10729-LBR

11 In re:
 USA CAPITAL REALTY ADVISORS, LLC,

12 Debtor.

JOINTLY ADMINISTERED
 Chapter 11 Cases

13 In re:
 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,

14 Debtor.

Judge Linda B. Riegle Presiding

15 In re:
 USA CAPITAL FIRST TRUST DEED FUND,
 LLC,

16 Debtor.

17 **NOTICE OF FILING PROOFS OF
 SERVICE OF SUBPOENAS FOR
 RULE 2004 EXAMINATIONS**

18 In re:
 USA SECURITIES, LLC,

19 Debtor.

20 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

24 NOTICE IS GIVEN that the USACM Liquidating Trust herewith files the:

25 **Proof of Service of Subpoena for Rule 2004 Examination
 26 on Registered Agent for Eagle Ranch (Nevada), LLC
 (Exhibit A Attached);**

1 **Proof of Service of Subpoena for Rule 2004 Examination
2 on Registered Agent for Eagle Ranch Residential, LLC
3 (Exhibit B Attached);**

4 **Proof of Service of Subpoena for Rule 2004 Examination
5 on Registered Agent for Eagle Ranch Development, Inc.
6 (Exhibit C Attached);**

7 **Proof of Service of Subpoena for Rule 2004 Examination
8 on Registered Agent for Southern California Land
9 Development, LLC (Exhibit D Attached);**

10 **Proof of Service of Subpoena for Rule 2004 Examination
11 on Registered Agent for Ashby Development Company,
12 Inc. (Exhibit E Attached);**

13 **Proof of Service of Subpoena for Rule 2004 Examination
14 on Registered Agent for Fiesta Development, Inc. (Exhibit
15 F Attached);**

16 **Proof of Service of Subpoena for Rule 2004 Examination
17 on Registered Agent for Butterfield Development
18 Company, Inc. (Exhibit G Attached);**

19 **Proof of Service of Subpoena for Rule 2004 Examination
20 on Registered Agent for Ashby USA, LLC (Exhibit H
21 Attached);**

22 **Proof of Service of Subpoena for Rule 2004 Examination
23 on Registered Agent for Capital land Investors, LLC
24 (Exhibit I Attached);**

25 **Proof of Service of Subpoena for Rule 2004 Examination
26 on Registered Agent for Oak Mesa Investors, LLC
27 (Exhibit J Attached);**

28 **Proof of Service of Subpoena for Rule 2004 Examination
29 on Registered Agent for Tanamera/Roripaugh, LLC
30 (Exhibit K Attached);**

31 **Proof of Service of Subpoena for Rule 2004 Examination
32 on Registered Agent for Brentwood 128, LLC (Exhibit L
33 Attached);**

34 **Proof of Service of Subpoena for Rule 2004 Examination
35 on Registered Agent for Aware TM 30850, LLC (Exhibit
36 M Attached);**

37 **Proof of Service of Subpoena for Rule 2004 Examination
38 on Registered Agent for Tanamera Residential, LLC
39 (Exhibit N Attached);**

1 **Proof of Service of Subpoena for Rule 2004 Examination**
2 **on Registered Agent for Tanamera Homes, LLC (Exhibit**
3 **O Attached);**

4 **Proof of Service of Subpoena for Rule 2004 Examination**
5 **on Registered Agent for Soda Flats Land Company, LLC**
6 **(Exhibit P Attached); and**

7 **Proof of Service of Subpoena for Rule 2004 Examination**
8 **on Registered Agent for Ravenswood Apple Valley, LLC**
9 **(Exhibit Q Attached).**

10 DATED: October 3, 2007

11 **DIAMOND MCCARTHY LLP**

12 **LEWIS AND ROCA LLP**

13 By: /s/ Eric D. Madden
14 Allan B. Diamond, TX 05801800 (pro hac vice)
15 William T. Reid, IV, TX 00788817 (pro hac vice)
16 Eric D. Madden, TX 24013079 (pro hac vice)
17 909 Fannin, Suite 1500
18 Houston, Texas 77010
19 (713) 333-5100 (telephone)
20 (713) 333-5199 (facsimile)

21 *Special Litigation Counsel for*
22 *USACM Liquidating Trust*

23 By: /s/ Rob Charles
24 Susan M. Freeman, AZ 4199 (pro hac vice)
25 Rob Charles, NV 6593
26 3993 Howard Hughes Parkway, Suite 600
27 Las Vegas, Nevada 89169-5996
28 (702) 949-8320 (telephone)
29 (702) 949-8321 (facsimile)

30 *Counsel for USACM Liquidating Trust*

United States Bankruptcy Court

DISTRICT OF NEVADA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

JOINTLY ADMINISTERED UNDER
CASE NO. BK-S-06-10725-LBR

AFFECTS: ALL DEBTORS

TO: EAGLE RANCH (NEVADA), LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 LEON TUAN
 STEIN & LUBIN LLP
 600 MONTGOMERY STREET, 14TH FLOOR
 SAN FRANCISCO, CA 94111

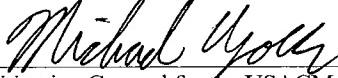
X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

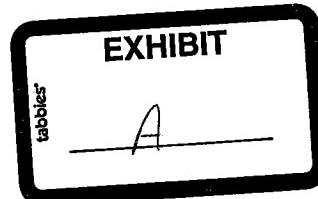
SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE	DATE
 Special Litigation Counsel for the USACM Liquidating Trust	September 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
 DIAMOND MCCARTHY, LLP
 909 FANNIN, SUITE 1500
 HOUSTON, TX 77010
 (713) 333-5100



Form 254 - Subpoena for Rule 2004 Examination (12/06)

PROOF OF SERVICE

SERVED	DATE	PLACE
	Sept 21, 2007 @ 3:20pm	Stein & Lubin, 600 Montgomery St, 14th Fl, San Francisco, CA 94111
SERVED ON (PRINT NAME)		MANNER OF SERVICE
Eagle Ranch (Nevada), LLC		Sangeeta Charan
SERVED BY (PRINT NAME)		TITLE
Yohan Von Rosen		Authorized to accept on behalf of agent Leon Tuan

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

9-21-07

DATE

SIGNATURE OF SERVER

2780 Tachevah Dr
Santa Rosa CA 95405

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure.

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, loss, expenses and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises, or to producing electronically stored information in the form or forms requested. If a objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If no objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where the person resides, is employed or regularly transacts business in peace, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may, in order to attend trial be commanded to travel from any such place within the state in which the trial is held;

(iii) requires disclosure of privileged or other protected matter, and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information; or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or outcomes at dispute and resulting from the expert's study made not at the request of any party; or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, in protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise obtained without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENAS

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(E) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to understand the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party discloses the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(F) CONTEMPT. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (a) of subparagraph (c)(3)(A).

75
B254 (5/92) Subpoena for Rule 2004 Examination***United States Bankruptcy Court***

DISTRICT OF NEVADA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

JOINTLY ADMINISTERED UNDER
CASE NO. BK-S-06-10725-LBR

AFFECTS: ALL DEBTORS

TO: EAGLE RANCH RESIDENTIAL, LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 LEON TUAN
 STEIN & LUBIN LLP
 600 MONTGOMERY STREET, 14TH FLOOR
 SAN FRANCISCO, CA 94111

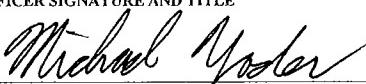
X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE  Special Litigation Counsel for the USACM Liquidating Trust	DATE September 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
 DIAMOND MCCARTHY, LLP
 909 FANNIN, SUITE 1500
 HOUSTON, TX 77010
 (713) 333-5100

EXHIBIT

tabler®

B

Form 254 - Subpoena for Rule 2004 Examination (1206)

PROOF OF SERVICE

SERVED	DATE	PLACE
	Sept 21, 2007 @ 3:20pm	Stein & Lubin, 600 Montgomery St, 14th Fl, San Francisco, CA 94111
SERVED ON (PRINT NAME)	MANNER OF SERVICE	
Eagle Ranch Residential, LLC	Sangeeta Charan	
SERVED BY (PRINT NAME)	TITLE	
Yohan Von Rosen	Authorized to accept on behalf of agent Leon Tuan	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

9-21-07

DATE

SIGNATURE OF SERVER

2780 Zachevah Dr
Santa Rosa CA 95405

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (e), (f), and (g), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure.

(e) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspect or measure premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspecting or measuring the premises — or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(C) (i) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

(ii) fails to allow reasonable time for compliance;

(iii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the person where that person resides, is employed or regularly transacts business in person, except that, subject to the proviso of clause (e)(3)(B)(iii) of this rule, such a person may, in order to attend, be commanded to travel from any such place within the state in which the trial is held;

(iv) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(v) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information; or

(ii) requires disclosure of an unreturned expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, in protect the person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue burden and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA

(i) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(c)(2)(C). The court may specify conditions for the discovery.

(E) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(F) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(G) On Trial. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court upon which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a company to attend or produce at a place not within the limits provided by clause (i) of subparagraph (e)(3)(A).

United States Bankruptcy Court

DISTRICT OF NEVADA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

JOINTLY ADMINISTERED UNDER
 CASE NO. BK-S-06-10725-LBR

AFFECTS: ALL DEBTORS

TO: EAGLE RANCH DEVELOPMENT, INC.
 BY AND THROUGH ITS REGISTERED AGENT:
 LEON TUAN
 STEIN & LUBIN LLP
 600 MONTGOMERY STREET, 14TH FLOOR
 SAN FRANCISCO, CA 94111

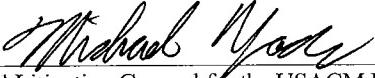
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PLACE OF TESTIMONY	DATE AND TIME
LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

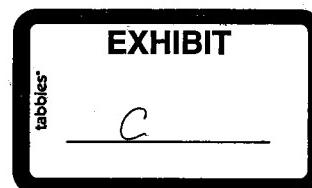
SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE	DATE
 Special Litigation Counsel for the USACM Liquidating Trust	September 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
 DIAMOND MCCARTHY, LLP
 909 FANNIN, SUITE 1500
 HOUSTON, TX 77010
 (713) 333-5100



Form 254 - Subpoena for Rule 2004 Examination (12/06)

PROOF OF SERVICE

SERVED	DATE	PLACE
	Sept 21, 2007 @ 3:20pm	Stein & Lubin, 600 Montgomery St, 14th Fl, San Francisco, CA 94111
SERVED ON (PRINT NAME)	MANNER OF SERVICE	
Eagle Ranch Development, Inc	Sangceta Charan	
SERVED BY (PRINT NAME)	TITLE	
Yohan Von Rosen	Authorized to accept on behalf of agent Leon Tuan	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

9-21-07

DATE

SIGNATURE OF SERVER

2780 Tachevah Dr
Santa Rosa CA 95405

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure.

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, loss, earnings and a reasonable attorney's fee.

(2) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(3) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises — or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expenses resulting from the inspection, copying, testing, or sampling commanded.

(4) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed, or regularly transacts business in person, except that, subject to the provisions of clause (G)(5)(B)(ii) of this rule, such a person may, in order to attend that be commanded to travel from any such place within the state in which the trial is held;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena does not permit a party to object to the production of information on the grounds that it is privileged or protected as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(C) COSTS. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a party to attend or produce at a place not within its limits provided by clause (i) of subparagraph (G)(3)(A).

United States Bankruptcy Court

NORTHERN DISTRICT OF CALIFORNIA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.**JOINTLY ADMINISTERED UNDER**

CASE NO. BK-S-06-10725-LBR

IN THE DISTRICT OF NEVADA

AFFECTS: ALL DEBTORS

TO: SOUTHERN CALIFORNIA LAND DEVELOPMENT, LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 LEON TUAN
 STEIN & LUBIN
 600 MONTGOMERY STREET, 14TH FLOOR
 SAN FRANCISCO, CA 94111

X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
MERRILL CORPORATION 199 FREMONT STREET, SUITE 900 SAN FRANCISCO, CA 94105	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE MERRILL CORPORATION 199 FREMONT STREET, SUITE 900 SAN FRANCISCO, CA 94105	DATE October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE  Special Litigation Counsel for the USACM Liquidating Trust	DATE September 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
 DIAMOND MCCARTHY, LLP
 909 FANNIN, SUITE 1500
 HOUSTON, TX 77010
 (713) 333-5100

EXHIBIT

tables*

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PROOF OF SERVICE

SERVED	DATE	PLACE
	Sept 21, 2007 @ 3:20pm	Stein & Lubin, 600 Montgomery St, 14th Fl, San Francisco, CA 94111
SERVED ON (PRINT NAME)		MANNER OF SERVICE
Southern California Land Development, LLC		Sangeeta Charan
SERVED BY (PRINT NAME)		TITLE
Yohan Von Rosen		Authorized to accept on behalf of agent Leon Tuan

DECLARATION OF SERVER

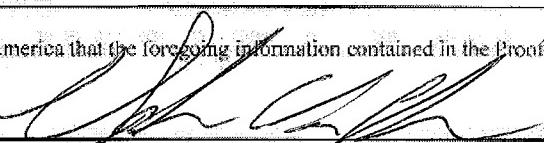
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

9-21-07

DATE

SIGNATURE OF SERVER



2780 Taheyan Dr
Santa Rosa CA 95405

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure.

(c) PRIVILEGE OF PERSONS SUBJECT TO SUBPOENA

(1) A party or an attorney responsible for the issuance and service of a subpoena shall not make reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, loss of earnings and a reasonable attorney's fee.

(2) Subject to paragraph (b)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents, or tangible things, or of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(3) Subject to paragraph (b)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspecting the premises — or in producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(4) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (i) and (B)(1) of this rule, such a person may, in order to attend and be commanded to travel from any such place within the state to which the trial is held;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information; or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences at dispute and resulting from the expert's study made not at the request of any party; or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot otherwise be obtained without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person believes are not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(E) (A) Unless otherwise subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation material, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A responding party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(C) CONTEMPT. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend and produce at a place not within the limits provided by clause (i) of subparagraph (a)(3)(A).

United States Bankruptcy Court

CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

IN RE

**USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
USA CAPITAL FIRST TRUST DEED FUND LLC,
USA SECURITIES, LLC,**

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

**JOINTLY ADMINISTERED UNDER
CASE NO. BK-S-06-10725-LBR
IN THE DISTRICT OF NEVADA**

AFFECTS: ALL DEBTORS

TO: ASHBY DEVELOPMENT COMPANY, INC.
ATTN: JEANNE DERINGER
470 E. HARRISON STREET
CORONA, CALIFORNIA 92879

X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 29, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE 	DATE September 17, 2007

Special Litigation Counsel for the USACM Liquidating Trust

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
DIAMOND MCCARTHY, LLP
909 FANNIN, SUITE 1500
HOUSTON, TX 77010
(713) 333-5100

EXHIBIT

tabbies®

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PROOF OF SERVICE

DATE: 9/26/07 @ 11:35 PLACE: 470 E. Harrison St., Corona CA 92871

SERVED: Ashby Development Company, Inc

SERVED ON (PRINT NAME)

Diana Luepke - Authorized to Accept on
behalf of Agent Jeanne Deringer

MANNER OF SERVICE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

9/20/07

Date



Signature of Server

Address of Server

Rule 45, Federal Rules of Civil Procedure, Parts (c) & (d) made applicable in cases under the Bankruptcy Code by Rule 9016, Fed.R.Bankr.P.:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order by the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any persons who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance.

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held or,

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 (iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
 (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

70180.9

United States Bankruptcy Court

CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

IN RE

**USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
USA CAPITAL FIRST TRUST DEED FUND LLC,
USA SECURITIES, LLC,**

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

**JOINTLY ADMINISTERED UNDER
CASE NO. BK-S-06-10725-LBR
IN THE DISTRICT OF NEVADA**

AFFECTS: ALL DEBTORS

TO: FIESTA DEVELOPMENT, INC.
ATTN: JEANNE DERINGER
470 E. HARRISON STREET
CORONA, CALIFORNIA 92879

X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 29, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE 	DATE September 17, 2007

Special Litigation Counsel for the USACM Liquidating Trust

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
DIAMOND MCCARTHY, LLP
909 FANNIN, SUITE 1500
HOUSTON, TX 77010
(713) 333-5100

EXHIBIT

PROOF OF SERVICE

DATE: 9/20/07 @ 11:35 PLACE: 470 E Harrison St., Corona CA 92879

SERVED: Fiesta Development, Inc.

SERVED ON (PRINT NAME)

Diana Lucpke - Authorized to Accept on
behalf of Agent Jeanne Deringer

MANNER OF SERVICE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9/20/07

Date

Signature of Server

Address of Server

Rule 45, Federal Rules of Civil Procedure, Parts (c) & (d) made applicable in cases under the Bankruptcy Code by Rule 9016, Fed.R.Bankr.P.:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order by the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any persons who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance.

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(ii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held or,

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

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70180.1D

United States Bankruptcy Court

CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
USA CAPITAL FIRST TRUST DEED FUND LLC,
USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

**JOINTLY ADMINISTERED UNDER
CASE NO. BK-S-06-10725-LBR
IN THE DISTRICT OF NEVADA**

AFFECTS: ALL DEBTORS

TO: BUTTERFIELD DEVELOPMENT COMPANY, INC.
ATTN: JEANNE DERINGER
470 E. HARRISON STREET
CORONA, CALIFORNIA 92879

X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 29, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	DATE October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE  Special Litigation Counsel for the USACM Liquidating Trust	DATE September 17, 2007
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	
MICHAEL YODER DIAMOND MCCARTHY, LLP 909 FANNIN, SUITE 1500 HOUSTON, TX 77010 (713) 333-5100	

EXHIBIT

tabbies®

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PROOF OF SERVICE

DATE: 9/20/07 @ 11:35 PLACE: 470 E Harrison St., Corona, CA 92879

SERVED: Butterfield Development Company, Inc

SERVED ON (PRINT NAME)

Diana Luepke. Authorized to Accept on
behalf of Agent - Jeanne Deringer

MANNER OF SERVICE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

9/20/07
Date

Signature of Server

Address of Server

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(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order by the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any persons who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

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 (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

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70180.11

United States Bankruptcy Court

CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

IN RE

**USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
USA CAPITAL FIRST TRUST DEED FUND LLC,
USA SECURITIES, LLC,**

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

**JOINTLY ADMINISTERED UNDER
CASE NO. BK-S-06-10725-LBR
IN THE DISTRICT OF NEVADA**

AFFECTS: ALL DEBTORS

TO: ASHBY USA, LLC
ATTN: JUSTIN K. ASHBY
470 E. HARRISON STREET
CORONA, CALIFORNIA 92879

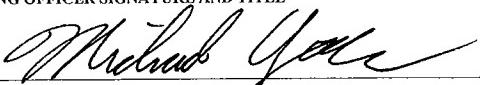
X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 29, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	DATE October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE  Special Litigation Counsel for the USACM Liquidating Trust	DATE September 17, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
DIAMOND MCCARTHY, LLP
909 FANNIN, SUITE 1500
HOUSTON, TX 77010
(713) 333-5100

EXHIBIT

PROOF OF SERVICE

DATE: 9/20/07 @ 11:35 PLACE: 470 E Harrison St., Corona CA 92879

SERVED: Ashby USA, LLC

SERVED ON (PRINT NAME)

Diana Luepke - authorized to accept on
behalf of agent - Justin K Ashby

MANNER OF SERVICE

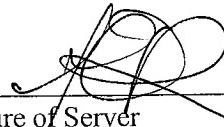
DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9/20/07

Date

Signature of Server



Address of Server

Rule 45, Federal Rules of Civil Procedure, Parts (c) & (d) made applicable in cases under the Bankruptcy Code by Rule 9016, Fed.R.Bankr.P.:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order by the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any persons who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance.

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held or,

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

70180.12

United States Bankruptcy Court

CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

IN RE

**USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
USA CAPITAL FIRST TRUST DEED FUND LLC,
USA SECURITIES, LLC,**

DEBTORS.**AFFECTS: ALL DEBTORS**SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

**JOINTLY ADMINISTERED UNDER
CASE NO. BK-S-06-10725-LBR
IN THE DISTRICT OF NEVADA**

TO: CAPITAL LAND INVESTORS, LLC
C/O JOHN KENDRICK, ESQ.
19800 MACARTHUR BLVD., SUITE 270
IRVINE, CA 92715

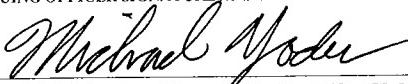
X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 29, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE	DATE
 Special Litigation Counsel for the USACM Liquidating Trust	September 17, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
DIAMOND MCCARTHY, LLP
909 FANNIN, SUITE 1500
HOUSTON, TX 77010
(713) 333-5100

EXHIBIT

PROOF OF SERVICEDATE: 9/20/07 @ 2:45 PLACE: 19800 MacArthur Blvd. Suite 270, Irvine CASERVED: Capital Land Investors, LLC

SERVED ON (PRINT NAME)

John Kendrick

MANNER OF SERVICE

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9/20/07

Date

Signature of Server

Address of Server

Rule 45, Federal Rules of Civil Procedure, Parts (c) & (d) made applicable in cases under the Bankruptcy Code by Rule 9016, Fed.R.Bankr.P.:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order by the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel production. Such an order to compel production shall protect any persons who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance.

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held or,

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 (iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
 (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

10180.13

United States Bankruptcy Court

CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

IN RE

**USA COMMERCIAL MORTGAGE COMPANY,
USA CAPITAL REALTY ADVISORS, LLC,
USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
USA CAPITAL FIRST TRUST DEED FUND LLC,
USA SECURITIES, LLC,**

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

**JOINTLY ADMINISTERED UNDER
CASE NO. BK-S-06-10725-LBR
IN THE DISTRICT OF NEVADA**

AFFECTS: ALL DEBTORS

TO: OAK MESA INVESTORS, LLC
C/O JOHN KENDRICK, ESQ.
19800 MACARTHUR BLVD., SUITE 270
IRVINE, CA 92715

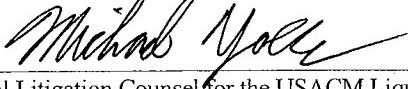
X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 29, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

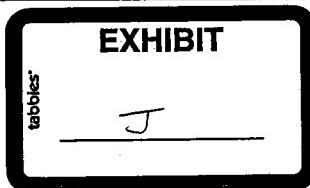
X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
DEVELOPMENT SPECIALISTS, INC. 333 S. GRAND AVENUE, SUITE 4070 LOS ANGELES, CA 90071-1544	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE 	DATE

Special Litigation Counsel for the USACM Liquidating Trust

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
DIAMOND MCCARTHY, LLP
909 FANNIN, SUITE 1500
HOUSTON, TX 77010
(713) 333-5100



PROOF OF SERVICEDATE: 1/20/07 C 2:45 PLACE: 19800 MacArthur Blvd. Ste 270, Irvine CASERVED: Oak Mesa Investors, LLC
SERVED ON (PRINT NAME)

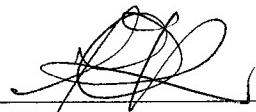
MANNER OF SERVICE

John Kendrick**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 1/20/07

Date



Signature of Server

Address of Server

Rule 45, Federal Rules of Civil Procedure, Parts (c) & (d) made applicable in cases under the Bankruptcy Code by Rule 9016, Fed.R.Bankr.P.:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order by the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel production. Such an order to compel production shall protect any persons who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance.

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held or,

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
(iv) subjects a person to undue burden.

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(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

United States Bankruptcy Court

DISTRICT OF NEVADA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.**JOINTLY ADMINISTERED UNDER
CASE NO. BK-S-06-10725-LBR****AFFECTS: ALL DEBTORS**

TO: TANAMERA/RORIPAUGH, LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 DAVID FOGG
 28475 FRONT STREET, #D
 TEMECULA, CA 92592

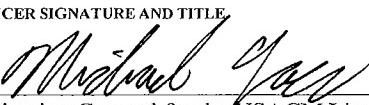
X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	DATE October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE  Special Litigation Counsel for the USACM Liquidating Trust	DATE September 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
 DIAMOND MCCARTHY, LLP
 909 FANNIN, SUITE 1500
 HOUSTON, TX 77010
 (713) 333-5100

EXHIBIT

K

PROOF OF SERVICE

SERVED	DATE Sep 24, 2007 @ 10:48pm	PLACE 28475 Front Street #D Temecula CA 92592
SERVED ON (PRINT NAME) Tanamera / Roripaugh, LLC	MANNER OF SERVICE David Fogg	
SERVED BY (PRINT NAME) Richard Byham	TITLE Registered Agent	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

9/24/2007

DATE

SIGNATURE OF SERVER

R. E. Fogg

ADDRESS OF SERVER

28392 RAIN TREE DR.Menifee CA 92584

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure:

(c) PRACTICE IN THE PRECESSION SUBPOENA: (1) SUBPOENA.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of persons need not appear in person at the place of production or inspection unless commanded to appear by the deposition, hearing or trial.

(B) Subject to paragraph (D)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises or to producing electronically stored information in the form or focus requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (iii) of this rule, such a person may, in order to attend and be commanded to travel from any such place within the state in which the trial is held;

(iii) requires disclosure of privileged or other protected material and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information; or

(ii) requires disclosure of an unretained expert's opinion or information, or describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena if, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship, and assures that the person to whom the subpoena is addressed will be reasonably compensated; the court may order appearance or production only upon specified conditions.

(D) DUTIES IN RESPONDING TO SUBPOENA.

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) (1) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. An motion to compel discovery or to quash the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation material, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(E) COVERTS: Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a witness to attend or practice at a place not within the limits provided by clause (iii) of subparagraph (D)(2)(A).

United States Bankruptcy Court

SOUTHERN DISTRICT OF CALIFORNIA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

**JOINTLY ADMINISTERED UNDER
 CASE NO. BK-S-06-10725-LBR
 IN THE DISTRICT OF NEVADA**

AFFECTS: ALL DEBTORS

TO: BRENTWOOD 128, LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 DAVID FOGG
 28475 FRONT STREET, SUITE D
 TEMECULA, CA 92590

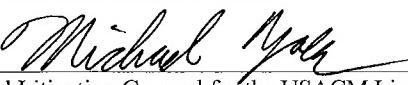
X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
MERRILL CORPORATION BRITISH PACIFIC CENTER 8899 UNIVERSITY CENTER LANE, SUITE 200 SAN DIEGO, CA 92122	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
MERRILL CORPORATION BRITISH PACIFIC CENTER 8899 UNIVERSITY CENTER LANE, SUITE 200 SAN DIEGO, CA 92122	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE	DATE
 Special Litigation Counsel for the USACM Liquidating Trust	September 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
 DIAMOND MCCARTHY, LLP
 909 FANNIN, SUITE 1500
 HOUSTON, TX 77010
 (713) 333-5100

EXHIBIT

tabbies®

L

Form 254 - Subpoena for Rule 2004 Examination (12/06)

PROOF OF SERVICE

SERVED	DATE	PLACE
	Sep 24, 2007 @ 10:48pm	28475 Front Street #D Temecula CA 92592
SERVED ON (PRINT NAME)		MANNER OF SERVICE
BRENTWOOD 128, LLC		David Fogg
SERVED BY (PRINT NAME)		TITLE
Richard Byham		Registered Agent

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9-24-2007

DATE

SIGNATURE OF SERVER

28392 RAIN TREE DR
TEMECULA CA 92584

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (e), (d), and (e), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 9016.
Federal Rules of Bankruptcy Procedure:

(e) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court on behalf of which the subpoena was issued shall enforce that duty and impose upon the party or attorney in breach of this rule an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection or witness need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(3) Subject to paragraph (b)(3) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena or their objection to producing any or all of the designated materials or inspection of the premises — or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(4) At Orthon's motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

(i) fails to allow a reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(ii) of this rule, such a person may, in order to attend trial, be commanded to travel from any such place within the state in which the trial is held;

(iii) requires disclosure of privileged or other protected material and no exception or waiver applies; or

(iv) imposes a undue burden.

(5) An attorney:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information; or

(ii) requires disclosure of an unrelated expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and agrees that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(f) DEPOSITIONS ON DIRECT EXAMINATION. A subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(g) If a subpoena does not specify the form or form for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(h) A person responding to a subpoena need not produce electronically stored information in more than one form.

(i) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. Permission to compel discovery or to quash the subpoena from a non-discovery source may be granted if the non-discovery source is reasonably accessible because of undue burden or cost. If that showing is made, the court may nevertheless order discovery from such sources if the requesting party shows a good cause, considering the limitations of Rule 26(b)(3)(C). The court may specify conditions for the discovery.

(j) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protective or trial-preparation material, the claim shall be made expressly and shall be supported by a description of the nature of the document, communication, or thing not produced that is sufficient to enable the demanding party to contest the claim.

(k) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and its basis for it. After being notified, a party may promptly return, sequester, or destroy the specified information and any copies it has made and not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal as a memorandum of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who introduced the information must preserve the information until the claim is resolved.

(l) CONTEMPT. Failure of any person within adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An attorney cause for failure to obey exists when a subpoena requires to require a summary or attend or produce at a place not within the limits provided by clause (b) of subparagraph (c)(3)(A).

United States Bankruptcy Court

DISTRICT OF NEVADA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

JOINTLY ADMINISTERED UNDER
 CASE NO. BK-S-06-10725-LBR

AFFECTS: ALL DEBTORS

TO: AWARE TM 30850, LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 DAVID FOGG
 28475 FRONT STREET, #D
 TEMECULA, CA 92592

X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

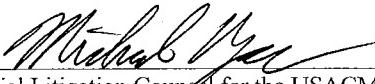
SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

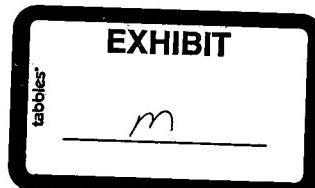
X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
LEWIS AND ROCA LLP 3993 HOWARD HUGHES PARKWAY, SUITE 600 LAS VEGAS, NV 89169	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE	DATE


Special Litigation Counsel for the USACM Liquidating Trust

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
 DIAMOND MCCARTHY, LLP
 909 FANNIN, SUITE 1500
 HOUSTON, TX 77010
 (713) 333-5100



PROOF OF SERVICE

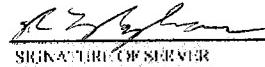
SERVED	DATE	PLACE
	Sep 24, 2007 @ 10:48pm	28475 Front Street #D Temecula CA 92592
SERVED ON (PRINT NAME)	MANNER OF SERVICE	
AWARE TM 30850, LLC		David Fogg
SERVED BY (PRINT NAME)	TITLE	
Richard Byham	Registered Agent	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9-24-2007

DATE


SIGNATURE OF SERVER

28392 Rancho Dr.
Menifee CA 92584

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (e), (f), and (g), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure:

DEFINITION OF PERSONS SUBJECT TO SUBPOENAS

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents, or tangible things, or anything of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing, or trial.

(B) Subject to paragraph (C)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified by the party or attorney designated in the subpoena, serve upon the party or attorney designating the subpoena a written objection to producing any or all of the designated materials or inspecting the premises — (i) if producing electronically stored information in the form or forms requested, (ii) if inspecting the premises, except pursuant to an order of the court by which the subpoena was issued. If no objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from inordinate expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if:

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed, or regularly transacts business in person, except that, subject to the provisions of clause (C)(3)(B)(ii) of this rule, such a person may, in order to attend trial, be commanded to travel from any such place within the state in which the trial is held;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or pretrial preparation information; or

(ii) requires disclosure of an unretained expert's opinions or information not describing specific events or occurrences by dispute and resulting from the expert's study made not at the request of any party; or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a sufficient need for testimony or material that cannot be otherwise obtained without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

DUTIES IN RESPONDING TO SUBPOENA

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) If a subpoena does not specify the form or forms in which the information is to be produced, a person responding to a subpoena may produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(3) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(4) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably necessary because of undue burden or cost. On motion to compel discovery to quash the subpoena when discovery is sought may allow the information sought to be reasonably accessible because of undue burden or cost. If that showing is made, the court may nevertheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(5) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation material, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and its basis for it. After being notified, a party may promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A requesting party may promptly transmit the information to the court under seal for a determination of the claim. If the requesting party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(6) CONTEMPT. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a witness to attend or produce at a place not within the limits provided by clause (f) of subparagraph (e)(3)(A).

United States Bankruptcy Court

SOUTHERN DISTRICT OF CALIFORNIA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

**JOINTLY ADMINISTERED UNDER
 CASE NO. BK-S-06-10725-LBR
 IN THE DISTRICT OF NEVADA**

AFFECTS: ALL DEBTORS

TO: TANAMERA RESIDENTIAL, LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 DAVID FOGG
 28475 FRONT STREET, SUITE D
 TEMECULA, CA 92590

X **YOU ARE COMMANDED** to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
MERRILL CORPORATION BRITISH PACIFIC CENTER 8899 UNIVERSITY CENTER LANE, SUITE 200 SAN DIEGO, CA 92122	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X **YOU ARE COMMANDED** to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
MERRILL CORPORATION BRITISH PACIFIC CENTER 8899 UNIVERSITY CENTER LANE, SUITE 200 SAN DIEGO, CA 92122	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE	DATE

Special Litigation Counsel for the USACM Liquidating Trust

September 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	
MICHAEL YODER DIAMOND MCCARTHY, LLP 909 FANNIN, SUITE 1500 HOUSTON, TX 77010 (713) 333-5100	

EXHIBIT

N

Form 254 - Subpoena for Rule 2004 Examination (12/06)

PROOF OF SERVICE

SERVED	DATE	PLACE
	Sep 24, 2007 @ 10:48pm	28475 Front Street #D Temecula CA 92592
SERVED ON (PRINT NAME)	MANNER OF SERVICE	
Tanamera Residential, L.L.C.	David Fogg	
SERVED BY (PRINT NAME)	TITLE	
Richard Byham	Registered Agent	

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9-24-2007

DATE



SIGNATURE OF SERVER

28392 Raintree Dr.
Menifee CA 92584

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 2016, Federal Rules of Bankruptcy Procedure:

(a) PROCEDURES FOR ISSUANCE AND SERVICE.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The cost on behalf of which the subpoena was issued shall enforce its duty and impose upon the party or attorney in whose behalf it is issued an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, tools, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (C)(2)(E) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or notice of the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney commanding it or producing electronically stored information in the form or forms requested, if objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer or employee from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(C) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly maintains business in person, except that, subject to the provisions of clause (v)(3)(B)(ii) of this rule, such a person may, in order to extend trial, be commanded to travel from any such place within the state in which the trial is held;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subpoenas a person to violate law.

(B) A subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information; or

(ii) requires disclosure of an unsworn expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena if the party in whose behalf the subpoena is issued shows and certifies that cannot be otherwise served without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated; the court may order appearance or production only upon specified conditions.

(d) DUTIES OF RESPONDENT TO SUBPOENA.

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the subpoena.

(B) If a subpoena does not specify the form or terms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or format in which the person ordinarily maintains it or in a form or formats that are reasonably usable.

(C) A person responding to a subpoena must produce the information in a form or format in which the person ordinarily maintains it or in a form or formats that are reasonably usable.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 2016(e)(2)(C). The court may specify conditions for the discovery.

(E) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation material, the claim shall be made expressly and all the responses by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the originating party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specific information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly assert the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(F) (A) Failure of any person without adequate cause to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failing to obey exists when a subpoena purports to require a party to attend or produce at a place not within the limits provided by clause (i) of subparagraph (e)(3)(A).

United States Bankruptcy Court

NORTHERN DISTRICT OF CALIFORNIA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

**JOINTLY ADMINISTERED UNDER
 CASE NO. BK-S-06-10725-LBR
 IN THE DISTRICT OF NEVADA**

AFFECTS: ALL DEBTORS

TO: TANAMERA HOMES, LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 DAVID FOGG
 28475 FRONT STREET, #D
 TEMECULA, CA 92592

X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

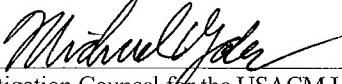
SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
MERRILL CORPORATION 199 FREMONT STREET, SUITE 900 SAN FRANCISCO, CA 94105	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
MERRILL CORPORATION 199 FREMONT STREET, SUITE 900 SAN FRANCISCO, CA 94105	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE	DATE


 Special Litigation Counsel for the USACM Liquidating Trust

September 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER
MICHAEL YODER DIAMOND MCCARTHY, LLP 909 FANNIN, SUITE 1500 HOUSTON, TX 77010 (713) 333-5100

EXHIBIT

tabbed

0

Form 284 Subpoena for Rule 2004 Examination (12/05)

PROOF OF SERVICE

SERVED	DATE Sep 24, 2007 @ 10:48pm	PLACE 28475 Front Street #D Temecula CA 92592
SERVED ON (PRINT NAME) Tanamera Homes, LLC		MANNER OF SERVICE David Fogg
SERVED BY (PRINT NAME) Richard Byham		TITLE Registered Agent

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9-24-2007

DATE

SIGNATURE OF SERVER

28392 Raintree Dr.
Menifee CA 92584

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (a), (d), and (e), as amended on December 1, 2006; made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure.

(a) PRINCIPLES OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this rule and impose upon the party or attorney in breach of rule any appropriate sanction, which may include, but is not limited to, loss, earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspecting the premises, or to producing electronically stored information in the form or forms requested. If objections are made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(C) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if:

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(5)(B)(ii) of this rule, such a person may, in order to attend trial, be commanded to travel from any other place within the state in which the trial is held;

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not disclosing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, enjoin or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot otherwise be had without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENAS.

(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or, in a few, in forms that are reasonably usable.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery of a source, the person from whom discovery is sought may show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(E) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation material, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A responding party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(F) CONTEMPT. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failing to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (f)(1) of subparagraph (c)(3)(A).

United States Bankruptcy Court

NORTHERN DISTRICT OF CALIFORNIA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
BK-S-06-10726 LBR
BK-S-06-10727 LBR
BK-S-06-10728 LBR
BK-S-06-10729 LBR

DEBTORS.

JOINTLY ADMINISTERED UNDER
 CASE NO. BK-S-06-10725-LBR
 IN THE DISTRICT OF NEVADA

AFFECTS: ALL DEBTORS

TO: SODA FLATS LAND COMPANY, LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 DAVID FOGG
 28475 FRONT STREET, SUITE D
 TEMECULA, CA 92590

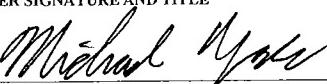
X YOU ARE COMMANDED to produce a corporate representative for examination under Federal Rule of Bankruptcy Procedure 2004, regarding the following topics at the place, date and time specified below. The USACM Liquidating Trust reserves the right to videotape all examinations.

SEE ATTACHED EXHIBIT A FOR TOPICS OF EXAMINATION

PLACE OF TESTIMONY	DATE AND TIME
MERRILL CORPORATION 199 FREMONT STREET, SUITE 900 SAN FRANCISCO, CA 94105	October 30, 2007 at 10:00 a.m. (or such other mutually agreeable date and time)

SEE ATTACHED EXHIBIT B FOR DOCUMENTS REQUESTED

X YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below:

PLACE	DATE
MERRILL CORPORATION 199 FREMONT STREET, SUITE 900 SAN FRANCISCO, CA 94105	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE	DATE
 Special Litigation Counsel for the USACM Liquidating Trust	September 18, 2007
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	
MICHAEL YODER DIAMOND MCCARTHY, LLP 909 FANNIN, SUITE 1500 HOUSTON, TX 77010 (713) 333-5100	

EXHIBIT*P*

Form 254 - Subpoena for Rule 2004 Examination (12/06)

PROOF OF SERVICE

SERVED	DATE Sep 24, 2007 @ 10:48pm	PLACE 28475 Front Street #D Temecula CA 92592
SERVED ON (PRINT NAME) Soda Flats Land Company		MANNER OF SERVICE David Fogg
SERVED BY (PRINT NAME) Richard Byham		TITLE Registered Agent

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9-24-2007

DATE


 SIGNATURE OF SERVER

28392 MINTREE DR.
MENIFEE CA 92584

ADDRESS OF SERVER

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure.

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or its attorney responsible for the issuance and service of a subpoena shall take reasonable steps to minimize undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena is issued shall enjoin such party and its attorney from issuing any subpoena in breach of this rule on appropriate showing, which may include, but is not limited to, bad faith and a reasonable attorney's fee.

(2) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for examination, hearing or trial.

(3) Subpoena to produce (d)(2)(B) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or before the time specified for compliance, if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises — or to producing electronically stored information in the form or forms requested. If objected to, the party serving the subpoena shall be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If no objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(4) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where the person resides, is employed or regularly transacts business; or (iii) except that, subject to the provisions of clause (b)(3)(B)(ii) of this rule, such a person may, in order to attend trial or committed to travel from any such place within the state in which the trial is held;

(5) requires disclosure of privileged or other protected material and no exception or waiver applies; or

(6) subjects a person to undue burden.

(7) requires disclosure of information and/or access to other confidential research, development, or commercial information, or

(8) requires disclosure of an unsworn expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study which is not at the request of any party; or

(9) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the party to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES OF RESPONDENT TO SUBPOENA.

(1) A person responding to a subpoena to produce documents will produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) If a subpoena does not specify the form or form for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(3) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(4) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. An action to compel discovery or to quash the subpoena from which discovery is sought may allow that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nevertheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(5) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the deponent to apply to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party may promptly return, sequester, or destroy the specified information if it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court for a seal for a determination of the claim. If the receiving party discloses the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information until the claim is resolved.

(6) (A) CONTEST. Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (f) of subparagraph (c)(3)(A).

United States Bankruptcy Court

NORTHERN DISTRICT OF CALIFORNIA

IN RE

USA COMMERCIAL MORTGAGE COMPANY,
 USA CAPITAL REALTY ADVISORS, LLC,
 USA CAPITAL DIVERSIFIED TRUST DEED FUND LLC,
 USA CAPITAL FIRST TRUST DEED FUND LLC,
 USA SECURITIES, LLC,

SUBPOENA FOR RULE 2004 EXAMINATION

CASE NOS. BK-S-06-10725 LBR
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BK-S-06-10729 LBR

DEBTORS.**JOINTLY ADMINISTERED UNDER**

CASE NO. BK-S-06-10725-LBR
IN THE DISTRICT OF NEVADA

AFFECTS: ALL DEBTORS

TO: RAVENSWOOD APPLE VALLY, LLC
 BY AND THROUGH ITS REGISTERED AGENT:
 DAVID FOGG
 28475 FRONT STREET, SUITE D
 TEMECULA, CA 92592

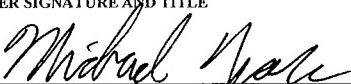
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PLACE	DATE
MERRILL CORPORATION 199 FREMONT STREET, SUITE 900 SAN FRANCISCO, CA 94105	October 15, 2007 (or such other mutually agreeable date and time)
ISSUING OFFICER SIGNATURE AND TITLE  Special Litigation Counsel for the USACM Liquidating Trust	DATE September 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

MICHAEL YODER
 DIAMOND MCCARTHY, LLP
 909 FANNIN, SUITE 1500
 HOUSTON, TX 77010
 (713) 333-5100

EXHIBIT

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PROOF OF SERVICE

SERVED	DATE Sep 24, 2007 @ 10:48pm	PLACE 28475 Front Street #D Temecula CA 92592
SERVED ON (PRINT NAME) Ravenswood Apple Valley, LLC		MANNER OF SERVICE David Fogg
SERVED BY (PRINT NAME) Richard Byham		TITLE Registered Agent

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 9-24-2007

DATE

R. Byham
SIGNATURE OF SERVER

28392 RAINBREE DR.
MENIFEE CA 92584

ADDRESS OF SERVER

Rule 43, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006, made applicable in cases under the Bankruptcy Code by Rule 9016, Federal Rules of Bankruptcy Procedure

(c) PRODUCTION OF PERSONS SUBJECT TO SUBPOENA

(1) A party or attorney responsible for the issuance and serving of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The server on behalf of which the subpoena was issued shall exercise his duty and impose upon the party or attorney in whose behalf it is issued, if appropriate, sanctions, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, media, papers, documents, or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing, or trial.

(B) Subject to paragraph (2)(2)(B), if this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoena or notice of the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises, or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) In timely motion, the court may which a subpoena was issued shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (2)(3)(D)(ii) of this rule, such a person may, in order to attend and be commanded to travel from any such place within the state in which the trial is held;

(iii) requires disclosure of privileged or other protected material and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of trade secrets or other confidential research, development, or commercial information; or

(ii) requires disclosure of an unsworn expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party; or

(iii) requires a person who travels a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoena, quash or modify the subpoena or, if the party on whom it is served is denied a just and substantial need for the testimony or materials that cannot be satisfactorily met without undue hardship and expense, that the power to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES OF RESPONDING TO A SUBPOENA

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the subpoena.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or, if a form is not available, reasonably usable.

(C) A person responding to a subpoena must not produce the information in a form or forms in which the person ordinarily maintains it or, if a form is not available, reasonably usable.

(D) A person responding to a subpoena must not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery. Every such source of the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(E). The court may specify conditions for the discovery.

(E) (A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial-preparation material, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is withheld in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the proffered information and may assert a claim and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court unless, for a determination of the claim, the receiving party is directed by the court to withhold the information. If the receiving party is directed by the court to withhold the information before being notified, it must take reasonable steps to redact it. The person who produced the information must preserve the information until the claim is resolved.

(f) CONTEMPT: Failure of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a witness to attend or appear in a place not within the limits provided by clause (f) of subparagraph (2)(3)(A).